of three rules entitled ''Approval and Promulgation of Implementation Plan for South Coast Air Quality Management District (FRL #6335–3)'', ''Approval and Promulgation of State Plans for Designated Facilities and Pollutants: North Dakota; Control of Emissions from Existing Hazardous/Medical/Infectious Waste Incinerators (FRL #6340–6)'' and ''Revisions to the Permits and Sulfur Dioxis=de Allowance System Regulations under Title IV of the Clean Air Act: Compliance Determination (FRL #6341–2)'', received May 7, 1999; to the Committee on Environment and Public Works.

EC–3566. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Ellis Island Medals of Honor Fireworks, New York Harbor, Upper Bay (CGD01–99–034)'' (RIN2115–AA97) (1999–0018), received May 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3567. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Regulations: Hutchinson River, NY (CGD01–99–031)'' (RIN2115–AA97) (1999–0008), received May 10, 1999; to the Committee on Commerce, Science, and Transportation.

EC–3568. A communication from the President, transmitting, pursuant to law, a report relative to the extension of the waiver, under the Trade Act of 1974, to the People's Republic of China; to the Committee on Finance.

EC–3569. A communication from the President, transmitting, pursuant to law, a report relative to the extension of the waiver, under the Trade Act of 1974, to Vietnam; to the Committee on Finance.

EC–3570. A communication from the President, transmitting, pursuant to law, a report relative to the extension of the waiver, under the Trade Act of 1974, to the Republic of Belarus; to the Committee on Finance.

EC–3571. A communication from the President, transmitting, pursuant to law, a report relative to the continuing humanitarian crisis in the Kosovo region; to the Committee on Foreign Relations.

EC–3572. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Regional Haze Regulations'' (FRL #6353–4), received June 1, 1999; to the Committee on Environment and Public Works.

EC–3573. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Guidelines Establishing Test Procedures for the Analysis of Pollutants; Measurement of Mercury in Water (EPA Method 1631, Revision B); Final Rule'' (FRL #6354–3), received June 1, 1999; to the Committee on Environment and Public Works.

EC–3574. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report entitled ''Progress on Superfund Implementation in Fiscal Year 1998''; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM—138. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the temporary visa waiver program; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 4

Whereas, the United States Congress passed the Immigration Control and Reform Act of 1986 that established a temporary visa waiver program to pave the way toward better international relations and increased visitor travel between the United States and certain participating foreign countries; and

Whereas, the temporary visa waiver program expired in September, 1996, and has since been extended on a year-to-year basis, with the current extension expiring in September, 1999; and

Whereas, the visa waiver program allows persons with waivers to enter the United States for a period of up to ninety days without a visa; and

Whereas, twenty-one countries were participating in the visa waiver program with the United States as of 1996, with more being added since then; and

Whereas, the visa waiver program is critical to boosting the number of international arrivals in Hawaii, with an estimated eighty percent of all international visitors arriving at Honolulu International Airport being under the visa waiver program; and

Whereas, the addition of Taiwan, South Korea, and China to the visa waiver program by the United States would further boost Hawaii's economy because of the huge numbers of travelers to Hawaii from these countries; and

Whereas, despite the success of the visa waiver program, the United States Congress has not made the program permanent, instead preferring to extend it on a year-to-year basis; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, the Senate concurring, that the United States Congress is urged to:

(1) Make the visa waiver program permanent; and

(2) Add Taiwan, South Korea, and China to the visa waiver program;

and

Be it Further Resolved that members of Hawaii's congressional delegation are urged to exert efforts to make the visa waiver program permanent and add Taiwan, South Korea, and China to the program; and

Be it Further Resolved that certified copies of this Concurrent Resolution be transmitted to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of Hawaii's congressional delegation.

POM–139. A concurrent resolution adopted by the Legislature of the State of Idaho relative to the threat of terrorism; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 28

Be It Resolved by the Legislature of the State of Idaho:

Whereas, the threat of terrorism in the United States is a real and complex phenomenon that can strike any community, state or geographic region of our nation; and

Whereas, threats incorporating the use of nuclear, radiological, biological, chemical and cyber weapons or combination thereof, may be used against critical infrastructures and the nation's food supply, of which the state of Idaho is a major producer; and

Whereas, because terrorist incidents would occur in local communities within the states, it is imperative that planning, training, exercises, equipping and funding strategies for state and local response forces be included in any national strategy; and

Whereas, the Legislature joins with the National Governors' Association and the National Emergency Management Association to affirm its commitment to ensuring a coordinated response and recovery to major emergencies and disasters, including incidents of terrorism and the use of weapons of mass destruction; now, therefore,

BE IT RESOLVED, by the members of the First Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recommend the following actions be taken to improve the nation's preparedness, and to more effectively prepare for, respond to, and recover from consequences of terrorism at the state and local level that:

(1) The White House and the Congress should consult and coordinate with the nation's governors and their states to develop and implement a national strategy that initiates and sustains activities for domestic preparedness at the state and local level. One hundred percent federally funded state and local assistance, previously granted to the states for civil defense, should be provided to the states for preparedness activities for crisis and consequence management as the result of the increasing potential for acts of terrorism and use of weapons of mass destruction.

(2) The federal government recognizes that the short and long-term consequences of domestic terrorism is among the responsibilities of state and local government supplemented by the resources of the federal government. Federal agencies that are tasked with providing assistance to state and local government must be required to recognize and use the state's emergency management systems that have effectively responded to state and local emergencies and disasters for over fifty years.

(3) The National Guard of each state and territory is a critical state resource during emergencies and disasters. As such, the role of the National Guard and the Department of Defense must be better defined in preparing for acts of terrorism. Furthermore, the National Guard must be funded, trained, equipped and well exercised if it is to have a viable role in the response and recovery to the use of weapons of mass destruction and terrorism.

(4) The nation's public health and medical system capabilities must be significantly improved and fully integrated into the evolving domestic preparedness program. As a health matter, specific attention must be placed on the nation's food supply, both that which has been harvested, and that which is yet to be developed.

(5) The government at all levels must ensure that the protection of civil liberties and states' rights will remain the highest priority within the context of national security as the United States prepares for and addresses the consequences of terrorism. The White House and the Congress should specifically develop methods to eliminate unauthorized activity in the name of expedience and national security.

BE IT FURTHER RESOLVED that the state of Idaho recognizes and supports the efforts of the U.S. Department of Justice to accomplish the much needed program coordination through the creation of the National Domestic Preparedness Office.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Resolution to the U.S. Department of Justice, the President of the Senate and the Speaker of the House of Representatives and the members of the Senate

and the House of Representatives representing the State of Idaho in the Congress of the United States.

POM–140. A concurrent resolution adopted by the General Assembly of the State of Iowa relative to Health Care Financing Administration rules; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 24

Whereas, rules recently promulgated by the Health Care Financing Administration (HCFA) of the United States Department of Health and Human Services requiring Outcome and Assessment Information Set (OASIS) assessment and follow-up reports for all patients of Medicare-certified home health agencies and health departments, whether or not the patient is a recipient of Medicare; and

Whereas, the OASIS system requires an 18-page initial assessment which must be completed by a registered nurse, and a 13-page follow-up assessment which is required to be completed every sixty days; and

Whereas, the requirement for computer software necessary for preparation and transmission of the OASIS system assessments and reports is essentially an unfunded federal mandate; and

Whereas, the HCFA requirement necessitates costly reporting for patients who receive services not paid through Medicare and the reporting is duplicative of existing assessment and reporting requirements; and

Whereas, in the small-scale home health care organization environment in Iowa, it is not feasible to provide services through separate organizations based upon whether the patient is a recipient of Medicare; and

Whereas, the HCFA rules would result in Medicare-certified organizations only providing services to recipients of Medicare, thereby reducing the availability of preventive home services to older Iowans who are not recipients of Medicare, increasing in-hospital admissions and Medicare costs, and increasing nursing home admissions and Medicaid costs; and

Whereas, OASIS appears to be solely a research project of HCFA, totally unfunded by federal sources, and accomplished with loss of funds by reporting agencies and loss of services to older Iowans; now; therefore,

Be It Resolved by the House of Representatives, the Senate concurring, that the Congress of the United States is encouraged to amend the OASIS system requirements to apply them only to patients who are recipients of Medicare and not to all patients of Medicare-certified home health agencies; and

Be It Further Resolved, That the Chief Clerk of the House is directed to provide a copy of this resolution to the President of the United States, to the Secretary of the United States Department of Health and Human Services, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Minority Leaders of the United States Senate and House of Representatives, and to each member of Iowa's congressional delegation.

POM–141. A concurrent resolution adopted by the Legislature of the State of Kansas relative to Health Care Financing Administration rules; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 5041

Whereas, New rules made by HCFA require OASIS assessment and follow-up reports for all patients of Medicare-certified home health agencies and health departments whether or not the personal or attendant care for such patients is paid from Medicare, and

Whereas, The new HCFA report requires an 18-page initial assessment, which must be completed by a registered nurse, with a 13 page follow-up assessment being required every 60 days; and

Whereas, The requirement for computer software for the preparation and transmission of such assessments and follow-up reports is another unfunded mandate of the federal government; and

Whereas, The HCFA requirement requires costly unfunded reporting of those who receive services which are not paid by Medicare—which reporting duplicates existing assessment and reporting requirements of the Kansas Department on Aging; and

Whereas, In the environment of the small, home health care services existing in Kansas, it is not feasible to create separate organizations to provide services for non-Medicare customers. The end result of the HCFA rules is that Medicare-certified agencies will no longer be able to provide in-home services to non-Medicare customers. Consequently, with lower levels of preventive home services being available to older Kansans there will be an increase in hospital admissions, thus increasing Medicare costs, and an increase in nursing home admissions, thus increasing Medicaid costs; and

Whereas, OASIS appears to be solely a research project of HCFA, totally unfunded by federal sources, and accomplished with loss of funds by reporting agencies and loss of services for Kansas seniors: now; therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That we memorialize the Congress of the United States to require the Health Care Financing Administration OASIS reporting and data reporting requirements to apply only to Medicare patients and not to all patients of Medicare-certified home health agencies; and

Be it further resolved: That the Secretary of State be directed to provide an enrolled copy of this resolution to the President of the United States, Secretary of Health and Human Services, President of the United States Senate, Speaker of the United States House of Representatives, minority leaders of the United States Senate and the United States House of Representatives, and to each member of the Kansas Congressional delegation.

POM–142. A joint resolution adopted by the Legislature of the State of Idaho relative to the estate and gift taxes; to the Committee on Finance.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-fifth Idaho Legislature, do hereby respectfully represent that:

Whereas, the estate and gift tax is the federal government's least significant revenue source contributing approximately 1.1% of total federal revenue and in 1998 just 1.66% of adult deaths in the United States are expected to result in taxable estates; and

Whereas, a rationale for the estate and gift tax is that only the very wealthy pay it, but in 1995, 54% of all estate tax revenue came from estates under five million dollars and estate taxes that year fell for those with estates over twenty million dollars; and

Whereas, the reason for the preceding is that careful estate planning can virtually eliminate the tax, however many estate planning techniques are costly and require long lead-times to implement, making the burden of the estate tax often falling on those with recently acquired modest wealth such as farmers and small businesses; and

Whereas, the tax can be devastating on small businesses and agricultural operations and protecting these ventures from estate taxes can be costly and drain resources that could be better used by the owners to upgrade and expand their operations; and

Whereas, the estate and gift tax may be having unintended environmental consequences as America's nonindustrial private forest owners (who own 58% of America's forest land) face the untimely timber harvest and disruption of established forest management programs because of the federal estate tax and this is counterproductive to society's goals of sustainable forestry and environmental quality and the tax may also have the unintended consequence of forcing a decedent's estate to subdivide or sell all or portions of the family land, that otherwise might be managed in a sustainable manner, in order to meet the estate tax obligation; and

Whereas, Canada, Australia and Israel have repealed their estate taxes with three policy reasons given that more people were becoming subject to the tax, the relative tiny portion of revenue raised and arguments by economists that the tax is counterproductive; and

Whereas, the inheritance tax is applied to property and goods that have already been taxed and some economists have indicated that the gross domestic product over the next seven years would be $80 billion higher if the estate and gift tax were repealed; now; therefore,

Be it resolved by the members of the First Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we respectfully request that members of Congress take a serious look at repealing the estate and gift tax or, at the very least, to increasing the exemption substantially.

Be it further resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congress delegation representing the State of Idaho in the Congress of the United States.

POM–143. A resolution adopted by the House of the Legislature of the State of Hawaii relative to tobacco settlement funds; to the Committee on Finance.

HOUSE RESOLUTION NO. 2

Whereas, on November 23, 1998, representatives from forty-six states signed a settlement agreement with the five largest tobacco manufacturers, which settled lawsuits seeking to recoup the states' costs of treating smokers; and

Whereas, the Attorneys General Master Tobacco Settlement Agreement culminated legal action that began in 1994 when states began filing lawsuits against the tobacco industry; and

Whereas, currently, the respective states are in the process of finalizing the terms of the Master Tobacco Settlement Agreement and are making initial fiscal determinations relative to the most responsible ways and means to utilize the settlement funds; and

Whereas, under the terms of the agreement, tobacco manufacturers will pay $206,000,000,000 over the next twenty-five years to the respective states in up-front and annual payments; and

Whereas, under the terms of the Master Tobacco Settlement Agreement, Hawaii is projected to receive $1,179,165,923.07 through the year 2025; and

Whereas, because many state lawsuits sought to recover Medicaid funds spent to treat illnesses caused by tobacco use, the U.S. Health Care Financing Administration contends that it is authorized and obligated under the Social Security Act, to collect its share of any tobacco settlement funds that are attributable to Medicaid; and

Whereas, the Master Tobacco Settlement Agreement does not address the Medicaid

recoupment issue, and thus, the Social Security Act must be amended to resolve the recoupment issue so that the moneys from the settlement remain with the respective states; and

Whereas, in addition to the recoupment issue, there is also considerable interest in earmarking state tobacco settlement fund expenditures at both the state and national levels; and

Whereas, as the final approval of the Master Tobacco Settlement Agreement nears, it is imperative that the states retain their rightful full share of the tobacco settlement funds; now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999, That the U.S. Congress is urged to enact legislation that amends the Social Security Act to prohibit the federal government from receiving any share of the funds awarded in the tobacco settlement that was reached in 1998 between the states and the tobacco industry; and be it further *Resolved* that the respective state legislatures retain complete autonomy over the appropriation and expenditure of their respective tobacco settlement funds; and be it further *Resolved* that the U.S. Congress oppose any efforts by the federal government to earmark or impose any other restrictions on the respective states' use of the state tobacco settlement funds; and be it further *Resolved* that certified copies of this Resolution be transmitted to the President of the United States, the President of the U.S. Senate, the Speaker of the U.S. House of Representatives, and the members of Hawaii's Congressional Delegation.

POM–144. A resolution adopted by the Council of the City of Rockwood, Michigan relative to imported trash; to the Committee on Environment and Public Works.

POM–145. A resolution adopted by the House of the Legislature of the State of Vermont relative to the United Nations Convention on Elimination of All Forms of Discrimination Against Women; to the Committee on Foreign Relations.

Whereas, the Convention on the Elimination of All Forms of Discrimination Against Women was adopted by the United Nations General Assembly on December 15, 1979, and

Whereas, it became an international treaty on September 3, 1981, and by October 1986, 154 countries had consented to be bound by the Convention's provisions, and

Whereas, the Convention provides a comprehensive framework for challenging various forces that have created and sustained gender-based discrimination against one-half of the world's population, and

Whereas, the Convention banning discrimination against women guarantees women's rights across many fields, including employment, education, voting, nationality, marriage and divorce, health care and equality before the law, and

Whereas, the state of Vermont shares the goals of the Convention, namely affirming faith in fundamental human rights, in the dignity and worth of all human beings and in the equal rights of women, and

Whereas, the state of Vermont has a history of supporting efforts to end gender-based employment discrimination and, in 1972, ratified the Equal Rights Amendment to the United States Constitution, and

Whereas, although women have made major gains throughout the 20th century in the struggle for equality in social, business, political, legal, health, educational and other fields, there remains much yet to be accomplished, and

Whereas, the state of Vermont recognizes the fact that other countries still engage in practices of gender apartheid—many African countries practice female genital mutilation; Afghanistan's Taliban militia does not permit women to work, go to school or even leave the confines of their homes unless accompanied by a close male relative, and are prohibited from going to most hospitals or seeking care from male doctors, which leads to women and girls dying from easily treatable diseases; and sex tourism (the trafficking of women and girls) is practiced in Asia and is supported by organizations in the United States, and

Whereas, the state of Vermont recognizes the greatly increased interdependence of the people of the world in this age of the global village and global telecommunications, and

Whereas, the state of Vermont enacted a joint resolution urging the United States Congress to ratify the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, which has not been ratified to date by the United States Congress, and

Whereas, the United States is one of only 22 countries that have not ratified the Convention, now therefore be it

Resolved by the House of Representatives, That the Vermont House of Representatives urges the United States Congress to consider ratifying the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, and be it further

Resolved, That the Clerk of the House be directed to send a copy of this resolution to President Bill Clinton, Vice President Al Gore, U.S. Secretary of State Madeleine Albright, U.S. Senator Jesse Helms, Chair of the Senate Foreign Relations Committee and to each member of the Vermont Congressional Delegation.

POM–146. A joint resolution adopted by the Legislature of the State of Idaho relative to a national veterans cemetery in Idaho; to the Committee on Veterans' Affairs.

Whereas, Idaho is the only state in the nation without either a national veterans cemetery or a state veterans cemetery; and

Whereas, the majority of the states without a national cemetery are located in the Northwest; and

Whereas, only one of the six states bordering Idaho has a national cemetery; and

Whereas, Idaho is centrally located for a regional cemetery in the Northwest; and

Whereas, it is fitting and proper that a grateful nation should provide a burial site within a reasonable distance from the homes of those Idahoans and others residing in the northwestern states who honorably served their country in a time of emergency.

Now, therefore, be it *Resolved by the members of the First Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein,* That we respectfully and urgently request members of Idaho's congressional delegation to support funding for a national veterans cemetery in Idaho to serve veterans in the northwestern states, and be it further

Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM–147. A joint resolution adopted by the Legislature of the State of Minnesota relative to the Superior National Forest; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 3

Whereas, pursuant to the Organic, Enabling, and other acts relating to the establishment of the state of Minnesota, land commonly referred to as school trust land has been granted to the state of Minnesota for public school and other purposes and has been constitutionally accepted and dedicated by the citizens of the state for such purposes by applying these lands to the production of income for the state's permanent school fund, all as described in detail in Minnesota Statutes, section 1.0451, subdivision 2; and

Whereas, pursuant to the federal Enabling Act authorizing the establishment of the state of Minnesota, on an equal footing with the original 13 states, and the Constitution of Minnesota, by which the citizens of Minnesota accepted the terms and conditions of the Enabling Act, the ownership of navigable waters and their beds was transferred to the state of Minnesota, all as described in detail in Minnesota Statutes, section 1.0451, subdivision 1; and

Whereas, approximately 100,000 acres of state-owned land (mostly school grant land) and approximately 172,000 acres of state-owned waters, or a total of over 272,000 state-owned acres, make up one-quarter of the 1,078,000 acres that are included within that portion of the Superior National Forest that has been designated by Congress as the Boundary Waters Canoe Area Wilderness; and

Whereas, the extraordinary nature of the land and waters located in this wilderness area has been described by the 8th U.S. Circuit Court of Appeals as follows in its decision in *State of Minnesota by Alexander* v. *Block*, 449 F. Supp. 1223 (D. Minn. 1980), 660 F.2d 1240 (8th Cir. 1981), Cert. denied 431 U.S. 939 (1982):

''The Boundary Waters Canoe Area is the largest wilderness area east of the Rocky Mountains and the second largest in our wilderness system. It is our Nation's only lake-land canoe wilderness—a network of more than 1,000 lakes linked by hundreds of miles of streams and short portages which served as the highway of fur traders who followed water routes pioneered by Sioux and Chippewa Indians. Despite extensive logging, the BWCA still contains 540,000 acres of virgin forests, by far the largest such area in the eastern United States.

''This last remnant of the old 'northwoods' is remarkable not only for its lakes and virgin forests, but also for its wildlife. * * * [M]any western wilderness areas lack such complete food chains. This natural ecosystem is a valuable educational and scientific resource; it has been the focal point of important research in wildlife behavior, forest ecology, nutrient cycles, lake systems, and vegetation history.''; and

Whereas, within this wilderness that contains a network of more than 1,000 lakes linked by hundreds of miles of streams and short portages and a land surface that is crowned with a forest which includes 540,000 acres of virgin or ''old growth'' timber that hosts unique plant and animal ecosystems such as that of the timber wolf, the state of Minnesota's school grant and other lands are scattered in a checkerboard fashion across the entire area, a consequence of the fact that the lands were granted almost entirely in Sections 16 and 36 in most townships in what now is designated as a federal wilderness; and

Whereas, as a consequence of decisions by the federal courts in the above cited case of State of Minnesota by Alexander v. Block, where the state unsuccessfully challenged the unilateral action by Congress of extending federal jurisdiction from federally owned land to state-owned water, the state's free exercise of authority over its state-owned lands and waters was severely diminished; and

Whereas, in the 18 years since the federal courts upheld this congressional extension of

federal authority over state water, the only revenue earned on school and other state grant lands from wilderness users has been derived from a token campground reservation fee that is reappropriated for necessary campground maintenance and therefore adds nothing to the permanent school fund, the fund constitutionally established to support public schools of the state out of income derived from school and other grant land sale and natural resource management revenues; and

Whereas, continuance of state land ownership within the Boundary Waters Canoe Area Wilderness not only defeats the purpose for which the state school grant lands were granted and dedicated, it also unnecessarily handicaps federal management duties relating to the wilderness area; and

Whereas, the Minnesota Constitution, article XI, sections 8 and 10, provide that school and other grant lands may be sold only at public auction or exchanged; and

Whereas, consolidation of federal land ownership within the Boundary Waters Canoe Area Wilderness through an exchange of Superior National Forest land that is located outside the wilderness area for state land that is located within the wilderness area will mutually benefit both the federal and state governments by simplifying federal wilderness area management activities through efficiencies arising from single land ownership and by enabling the state to properly manage its school trust lands for the purposes for which these lands were granted and dedicated, as was first contemplated for these lands by the Minnesota legislature in the enactment of Laws 1917, chapter 448, which created the Minnesota state forests in the counties of Cook, Lake, and St. Louis, the first state forests established in Minnesota; and

Whereas, there appears, preliminarily, to be sufficient acreage of federal land that is located within the exterior boundaries of the Superior National Forest, exclusive of lands in the Boundary Waters Canoe Area Wilderness, to exchange for the high value state-owned school grant and other land inholdings located within the wilderness area; now, therefore, be it *Resolved,* By the Legislature of the State of Minnesota that Congress is requested to speedily enact laws that would expedite the exchange of federally owned land located within the Superior National Forest that lies outside of the Boundary Waters Canoe Area Wilderness for land owned by the state of Minnesota located within the Boundary Waters Canoe Area Wilderness, and Be it Further *Resolved,* That in its deliberations concerning this request, Congress is requested to be especially cognizant that the legal title of the state of Minnesota to its school and other grant lands located within this wilderness area has been preserved, relatively unaltered, since being separated by grant from the federal public domain at statehood, and that the state of Minnesota's checkerboard land ownership pattern gives these lands a unique value because the lands are an integral part of what the 8th U.S. Circuit Court of Appeals recognized in State of Minnesota by Alexander v. Block as ''. . . our Nation's only lakeland canoe wilderness—a network of more than 1,000 lakes linked by hundreds of miles of streams and short portages which served as the highway of fur traders . . .'' and which ''. . . still contains 540,000 acres of virgin [old growth] forests, by far the largest such area in the eastern United States.'' And be it further *Resolved,* That Congress also be cognizant that the Minnesota Constitution, article XI, section 10, relating to the exchange of school grant and other state lands, requires the state to reserve mineral and water power rights in lands transferred by the state and, in addition, that Minnesota has never leased any state-owned minerals located on lands within the area that is federally designated as the Boundary Waters Canoe Area Wilderness, and further, that since 1976, under Minnesota Statutes, section 84.523, state law prohibits, except when needed in a national emergency declared by Congress, the exploration and mining of state-owned minerals and the harvesting of state-owned peat, and Be it further

Resolved, That while the state of Minnesota is cognizant of the fact that Congress may authorize the federal government to acquire state-owned school grant and other lands by eminent domain proceedings brought in federal courts, a procedure which entails congressional appropriation of the substantial amount of money necessary to pay Minnesota the market value of these lands as approved by the federal courts, the state hereby affirms that the mutual best interests of both the federal and state governments are best served by land exchange as a solution to the long-standing problem of intermingled land ownership within the Superior National Forest, and Be it further

Resolved, That the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President of the United States, the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the chair of the Senate Committee on Energy and Natural Resources, the chair of the House Committee on Resources, and to each of Minnesota's Senators and Representatives in Congress for the purpose of assisting those members in the discharge of duties imposed by Minnesota Statutes, section 1.0451, especially those duties set forth in subdivision 3 relating to land exchange.

POM–148. A petition from a citizen of the U.S. Virgin Islands relative to a shoppers visa; to the Committee on Energy and Natural Resources.

POM–149. A joint resolution adopted by the Legislature of the State of Montana relative to full funding of payments in lieu of taxes on federal land in Montana; to the Committee on Energy and Natural Resources.

JOINT RESOLUTION

Whereas, the stability of Montana's economy has historically been dependent on use of our abundant natural resources; and

Whereas, the natural resource harvest has contributed billions of dollars to Montana's economy by providing employment opportunities to members of our communities and by supporting our business communities; and

Whereas, revenue from industries related to natural resource harvest has produced taxes for the support of local and state governments; and

Whereas, the federal government has long recognized the importance of supporting local governments in counties where the United States controls management of public lands by reimbursing state and local governments by payments in lieu of taxes (PILT); and

Whereas, a variety of federal legislation, such as the Forest Reserve Act of 1890 sought to make equitable distribution to counties and to the education system of 25% of net proceeds derived by the sale of resources harvested on federal land; and

Whereas, the federal government is now reducing the volume of timber cut in relation to the allowable sale quotas (ASQ), redistributing funds historically contained in the 25% fund (outfitter fees), reducing its commitment to full funding of PILT, which was reduced from 100% in 1994 to 53% in 1998, and redefining its commitment to states and counties (a decoupling effort to overturn the 1890 Forest Reserve Act); and

Whereas, this effort has and will cause irreparable financial harm to state and local governments, our natural resource industries, and employment opportunities for Montanans.

Resolved by the Senate and House of Representatives of the State of Montana: That the legislature of the State of Montana petition the U.S. Congress to ensure a full commitment by the federal government to full funding of PILT, a commitment toward the proper harvest of the natural resource base by way of already adopted ASQ, and a renewal of its compact with states and local governments to contribute the federal government's fair share in taxes on land present in Montana but retained by the federal government, and

Resolved, That the Secretary of State send copies of this resolution to the President of the United States, the Secretary of State of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Western Governors' Association, and the Montana Congressional Delegation.

POM–150. A resolution adopted by the Council of the City of Midland, Texas relative to incentives for the oil and gas industry; to the Committee on Energy and Natural Resources.

POM–151. A resolution adopted by the Council of the City of Midland, Texas relative to incentives for the oil and gas industry; to the Committee on Energy and Natural Resources.

POM–152. A resolution adopted by the Legislature of the State of Montana relative to water resource policies and issues; to the Committee on Energy and Natural Resources.

JOINT RESOLUTION

Whereas, the western states of the United States are critically dependent upon present and future water resources for their quality of life and economic base; and

Whereas, the western states are geographically, hydrologically, and economically diverse and distinct from each other and from the eastern states; and

Whereas, the western states have developed a customized system of water allocation under the prior appropriation doctrine in response to the arid conditions of the region; and

Whereas, water resources in many of the major interstate river basins in the West are apportioned and administered through interstate and other compacts or court decrees between two or more states; and

Whereas, there has been a long-standing policy of federal deference to the states in the areas of water resources administration, management, allocation, and protection; and

Whereas, the western states have extensive experience in managing water resources, both surface and ground water supplies, and recognize the importance of protecting their water resources for present and future beneficial uses; and

Whereas, all western states have a system of law for allocation of water rights, and there is broad consensus within the federal system that states should continue to have the exclusive responsibility to create and administer water rights; and

Whereas, state water law provides for public participation and is based upon the allocation, transfer, and protection of water resources in the public interest; and

Whereas, the number of federal agencies involved in some aspect of water policy or management continues to increase, adding duplication, confusion, and conflicting missions to the historic state systems; and

Whereas, the U.S. Congress often considers legislation related to water resources management, some of which contains elements that could increase the federal role in water administration and conflict with the state's responsibility for water programs; now

Resolved by the Senate and the House of Representatives of the State of Montana, That Montana's Congressional Delegation be respectfully requested to advocate to the appropriate federal agencies that any new or revised federal legislation or policy should:

(1) Recognize that water resources administration, management, allocation, and protection are primarily the responsibility of the states and that federal policy should be supportive of this role of the western states;

(2) provides flexibility for states to continue to develop and refine water resource programs appropriate for their own circumstances, taking into consideration items such as hydrology, existing water rights, potential development of the area, interstate and other compact obligations, and the public interest;

(3) require all federal agencies to conduct their activities in accordance with, and in support of, state water resource programs and state water law; and

(4) recognize and cooperate with the states' prerogative and ability to manage, administer, and develop their water resources; be it

Further Resolved, That the Secretary of State send copies of this resolution to the President of the United States, the Vice President of the United States, the President Pro Tempore of the Senate of the U.S. Congress, the Speaker of the House of Representatives of the U.S. Congress, and the Montana Congressional Delegation.

POM–153. A joint resolution adopted by the Legislature of the State of Idaho relative to the Federal Land and Water Conservation Fund; to the Committee on Energy and Natural Resources.

Whereas, the Federal Land and Water Conservation Fund was created in 1965 to provide matching funds to encourage and assist local and state government in urban and rural areas to develop parks and to ensure accessibility to local outdoor recreation resources; and

Whereas, the state of Idaho has invested more than $32 million in Federal Land and Water Conservation funds, which were matched by local and state funds, donated labor and materials, and community force accounts, to produce eighty percent of Idaho's local recreation facilities and nearly all of our state parks; and

Whereas, the Federal Land and Water Conservation Fund was the primary source of funding for Idaho's greenbelts, exercise trails, neighborhood parks, swimming facilities, state parks, multipurpose sports fields, boating facilities, golf courses, camping areas, equestrian arenas, fishing accesses, zoo facilities, amphitheaters and scenic areas; and

Whereas, since 1980, Idaho's allocation of Federal Land and Water Conservation Funds for grants has diminished from $1.9 million to its total elimination in 1995; and

Whereas, the elimination of Federal Land and Water Conservation Fund allocations has adversely affected Idaho's outdoor recreation infrastructure, greatly reduced the ability of Idaho's cities and counties to meet the needs of our rapidly increasing populations, and created a backlog of upgrades, renovations and repairs to outdoor recreation facilities exceed $270 million; and

Whereas, outdoor recreation provides important economic, social, personal and resources benefits to the citizens of Idaho; and

Whereas, it has been determined that four out of every five Americans utilize local and state government recreation and park services; and

Whereas, outdoor recreation reduces crime by providing positive alternatives and experiences for Idaho's citizens; and

Whereas, the United States Congress is currently considering various bills and amendments concerning stateside funding for the Federal Land and Water Conservation Fund generated from Outer Continental Shelf oil royalties; Now, therefore, be it

Resolved by the members of the First Regular Sessions of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, That the Congress of the United States is urged to pass legislation reallocating funding to the states from the Federal Land and Water Conservation Fund, be it

Further Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States and the Honorable Dirk Kempthorne, Governor of the State of Idaho.

POM–154. A joint resolution adopted by the Legislature of the State of Idaho relative to the stabilization of payments of the United States Forest Service; to the Committee on Energy and Natural Resources.

HOUSE JOINT MEMORIAL NO. 4

Whereas, under the provisions of the Forest Service law of May 23, 1908, 35 Stat. 259, 260, 267 and as subsequently amended by the National Forest Managemenbt Act and the Federal Land Policy Management Act, the United States Forest Service pays to counties through the state treasurer twenty-five percent of gross revenues from timber sales, grazing permits and leases, recreation fees, power line rights-of-way, special use permits and other programs; and

Whereas, the payments are made to states from each national forest, then are apportioned to counties according to the proportion of acreage of each national forest in each county; and

Whereas, counties have few sources of revenue and rely on these payments to maintain their public roads and their public schools; and

Whereas, the Forest Service payments have become unpredictable due to market fluctuations and the volatility of the public debate on timber harvests on national forests, and generally have declined because of reduced timber harvest on national forests; and

Whereas, demands on counties to provide good public roads and public schools have increased due to increases in resident population and tourism; and

Whereas, stabilizing payments required by the 1908 Forest Service law is essential for responsible fiscal planning by the counties; now, therefore, be it

Resolved by the members of the First Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, That we strongly support stabilization of payments of the United States Forest Service to county governments through the state treasurer and urge our congressional delegation representing the state of Idaho in the Congress of the United States to support legislation that will stabilize payments made by the United States Forest Service to the counties of the state of Idaho; be it

Further resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the state of Idaho in the Congress of the United States.

POM–155. A joint resolution adopted by the Legislature of the State of Idaho relative to the stabilization of payments of the United States Forest Service; to the Committee on Energy and Natural Resources.

HOUSE JOINT MEMORIAL NO. 5

Whereas, under the provisions of the Forest Service law of May 23, 1908, 35 Stat. 259, 260, 267 and as subsequently amended by the National Forest Management Act and the Federal Land Policy Management Act, the United States Forest Service pays to counties through the State Treasurer twenty-five percent of gross revenues from timber sales, grazing permits and leases, recreation fees, power line rights-of-way, special use permits and other programs; and

Whereas, the payments are made to states from each national forest, then are apportioned to counties according to the proportion of acreage of each national forest in each county; and

Whereas, the law mandates that these funds be used for public roads and public schools; and

Whereas, counties with large amounts of federal lands have few sources of revenue and rely on these payments to maintain their public roads and their public schools; and

Whereas, the Forest Service payments have become unpredictable due to forest planning processes over the past ten years that have reduced timber harvests on national forests; and

Whereas, demands on counties to provide necessary services such as good public roads, public schools, sanitation services, and search and rescue have increased; and

Whereas, stabilizing payments required by the 1908 Forest Service law is essential for responsible fiscal planning by the counties; now, therefore, be it

Resolved by the members of the First Regular Session of the Fifty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, That we strongly support stabilization of payments of the United States Forest Service to county governments through the State Treasurer and urge our congressional delegation representing the state of Idaho in the Congress of the United States to support legislation that will stabilize payments made by the United States Forest Service to the counties of the state of Idaho by increasing the annual timber harvest from federal lands within the state of Idaho to the allowable sales quantity levels outlined in the current forest plans and by increasing to fifty percent the amount of federal funds returned to the counties from the sale of federal timber under the provisions of the Forest Service law of May 23, 1908, 35 Stat. 259, 260, 267 and as subsequently amended by the National Forest Management Act and the Federal Land Policy Management Act; be it

Further resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the state of Idaho in the Congress of the United States.

POM–156. A joint resolution adopted by the General Assembly of the Commonwealth of Virginia relative to the Appalachian Development Highway System; to the Committee on Environment and Public Works.

SENATE JOINT RESOLUTION NO. 523

Whereas, the construction of the Coalfields Expressway is anticipated to begin in 1999; and

Whereas, the estimated cost of completing the Coalfields Expressway is $1.5 billion; and

Whereas, through federal taxes on motor fuels and special fuels, motorists in the Commonwealth of Virginia contribute significantly to the federal Highway Trust Fund; and

Whereas, the Appalachian Development Highway System was created by the United States Congress for the purpose of stimulating the economic development of the entire Appalachian Region and is now funded directly through the federal Highway Trust Fund; and

Whereas, a recently completed study of the Appalachian Development Highway System concluded that, upon its completion, this system will provide the region through which it passes with 42,000 new jobs, 84,000 new residents, $2.9 billion in new wages, and $6.9 billion in value added business; and

Whereas, the Coalfields Expressway, when completed, will traverse a portion of the Commonwealth of Virginia characterized by chronic unemployment and pockets of intractable poverty; and

Whereas, the Coalfields Expressway is not presently a portion of the Appalachian Development Highway System, but receives its federal funding through special congressional appropriations made in unpredictable amounts at irregular intervals; and

Whereas, federal funding of the Coalfields Expressway to date consists of only two appropriations: one of $50 million in 1991 and another of $22.7 million in 1998; and

Whereas, inclusion of the Coalfields Expressway into the Appalachian Development Highway System would allow it to be funded more fully and more reliably; now, therefore, be it

Resolved by the Senate, the House of Delegates concurring, That the Congress of the United States be urged to include the Coalfields Expressway in the Appalachian Development Highway System; and, be it

Resolved Further, That the Clerk of the Senate transmit copies of this resolution to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Virginia Congressional Delegation in order that they may be apprised of the sense of the Virginia General Assembly in this matter.

POM–157. A resolution adopted by the Council of the City of Inkster, Michigan relative to state and local land use zoning authority; to the Committee on the Judiciary.

POM–158. A joint resolution adopted by the Legislature of the State of Nevada relative to the Illegal Immigration Reform and Immigration Responsibility Act of 1996; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 19

Whereas, The economy of the State of Nevada is dependent upon tourism; and

Whereas, Canada and Mexico rank No. 1 and No. 7, respectively, among Nevada's sources of international tourism, sending more than 1.5 million Canadian visitors and more than 104,000 Mexican visitors to this state per year; and

Whereas, Visitors from Canada and Mexico comprise a major economic contribution to the State of Nevada; and

Whereas, the United States has entered into international trade agreements with its neighbors, Canada and Mexico, to foster, encourage and stimulate the exchange of goods and products for mutual economic gain; and

Whereas, The United States does not currently require departing tourists returning to Canada and Mexico to be stopped and identified at border crossings; and

Whereas, Section 100 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 requires that a new entry-exit control system be implemented to track all foreign visitors entering and leaving the United States but does not provide any law enforcement benefits; and

Whereas, The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 would impose new border inspection requirements for the gathering of data at entry and departure points for vehicular traffic from Canada and Mexico where none currently exist; and

Whereas, The new border entry-exit system does not provide for any enhancement of provisions for apprehending or removing illegal immigrants, drug traffickers, terrorists or other criminals and would not curtail illegal immigration at the borders; and

Whereas, No inspection stations or other facilities for departing foreign travelers have been constructed; and

Whereas, This system would be implemented at enormous expense to the taxpayers of the United States with no tangible benefits; and

Whereas, Congress has held hearings at various sites along the Canadian border to consider exempting that country from the provisions of the Act, but no such hearings have been held or are scheduled in the Mexican border states; and

Whereas, Mexican and Canadian tourists who enter the United States for business and recreational travel are not immigrants; and

Whereas, These nonimmigrant Mexican and Canadian business and leisure travelers who will already be required to present travel documents to enter the United States, would be subjected to inspections and queries upon departure that would cause travel delays and inconveniences to those tourists; and

Whereas, Such delays and inconveniences would discourage tourism in the United States by Mexican and Canadian citizens, delay commerce and create an economic downturn; and

Whereas, The borders with Canada and Mexico should be kept reasonably free of governmental over-involvement in order to encourage tourism, trade and legitimate economic activity that benefit all three countries; and

Whereas, The National Governors' Association at its meeting in Washington in February 1998 determined that the entry-exit control system may have ''unintended negative consequences on international trade, tourism and the economy''; and

Whereas, The National Governors' Association urged suspension of implementing the entry-exit control system until Congress and the President can ensure that any such system will not disrupt tourism, trade or other legitimate traffic entering the United States; and

Whereas, Congress passed legislation in October 1998 delaying imposition of the implementation of the provisions of Section 110 until March 31, 2001, but allowing the exit system to take effect at the airports of international entry in the United States; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, Jointly, That Congress is hereby urged permanently to mitigate the consequences of the provisions of Section 110 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; and be it further

Resolved, That Congress is encouraged to keep the borders between the United States and Canada and Mexico reasonably free of governmental over-involvement and to impose no new restrictions until infrastructure is available that can collect data and detect illegal and unwanted immigration without disrupting legitimate tourist travel; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage and approval.

POM–159. A resolution adopted by the Senate of the State of Michigan relative to prayer in public schools; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 55

Whereas, The 48th Annual National Day of Prayer was observed on May 6, 1999, and the United States of America was founded by men and women with varied religious beliefs and ideals; and

Whereas, The First Amendment to the United States Constitution states that ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof . . .,'' which means that the government is prohibited from establishing a state religion. However, no barriers shall be erected against the practice of any religion; and

Whereas, The establishment clause of the First Amendment was not drafted to protect Americans from religion, rather, its purpose was clearly to protect Americans from governmental mandates with respect to religion; and

Whereas, The Michigan Legislature strongly believes that reaffirming a right to voluntary, individual, unorganized, and nonmandated prayer in public schools is an important element of religious choice guaranteed by the Constitution, and will reaffirm those religious rights and beliefs upon which the nation was founded; now, therefore, be it

Resolved by the Senate, That the members of this legislative body memorialize the Congress of the United States to strongly support voluntary, individual, unorganized, and non-mandatory prayer in the public schools of this nation; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–160. A resolution adopted by the St. Francis Assisi Parish of Houston, Texas relative to capital punishment; to the Committee on the Judiciary.

POM–161. A resolution adopted by the Episcopal Diocese of Washington, D.C. relative to hate crimes; to the Committee on the Judiciary.

POM–162. A joint resolution adopted by the Legislature of the State of Washington relative to the Land and Water Conservation Fund; to the Committee on Appropriations.

HOUSE JOINT MEMORIAL 4012

To the Honorable William J. Clinton, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives, and to the Senate and House of Representatives of the United States, in Congress assembled:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

Whereas, Washington state contains a rich diversity of forests, rivers, seacoasts, grasslands, deserts, and other habitats, and an

equally diverse population of fish and wildlife, all of which require by law some level of protection and responsible management by federal, state, and local agencies; and

Whereas, Washington state also contains a large number and variety of outstanding recreational facilities and opportunities, including three national parks, a national volcanic monument, one hundred twenty-five state parks, and many local parks, trails, water access areas, swimming pools, and sports fields; and

Whereas, Outdoor recreation and wildlife enjoyment are important elements of the Northwest way of life. A large majority of Washington's residents and visitors actively pursue and enjoy a range of outdoor recreation activities, from active sports such as soccer, softball, swimming, and bicycling, to outdoor and wildlife-related pursuits such as hiking, camping, canoeing, and wildlife observation; and

Whereas, Outdoor recreation and wildlife enjoyment are also important elements of Washington's economy. For example, a 1996 survey conducted by the United States fish and wildlife service showed that annual wildlife-related recreation expenditures exceeded one hundred billion dollars, almost three billion dollars spent in Washington state. Wildlife viewing alone accounts for more than twenty-one thousand jobs in Washington state; and

Whereas, Washington's population is one of the fastest-growing in the United States, with an even faster-growing public demand for wildlife conservation, wildlife-related recreation, and outdoor recreation facilities; and

Whereas, the federal Land and Water Conservation Fund (LWCF) was created in 1965 to preserve, develop, and assure that all Americans have access to quality outdoor recreation. In the thirty years since its creation, LWCF has funded the acquisition of almost seven million acres of parkland, water resources, wildlife habitat open space, and the development of more than thirty-seven thousand state, municipal, and local parks and recreation projects. In recent years, LWCF funding for federal projects has been reduced by more than half and funding for state projects has been entirely eliminated; and

Whereas, Washington and other states lack adequate, dedicated funding for fish and wildlife protection and management, especially for those species which are not hunted and fished and which are not listed as threatened or endangered. In 1980, Congress passed the Fish and Wildlife Conservation Act (P.L. 96–366) which was intended to address the protection and management of nonhunted wildlife species, but the act was never funded, leaving the entire responsibility to the states;

Now, therefore, Your Memorialists respectfully pray that Congress pass legislation to restore and revitalize federal funding for the Land and Water Conservation Fund. Lands shall be open for public use and enjoyment. We pray that Congress create a new dedicated fund for state-level fish and wildlife management, which would be administered by the United States fish and wildlife service; be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM–163. A resolution adopted by the Board of County Commissioners of Cuyahoga County, Ohio relative to the Ryan White Care Act; to the Committee on Appropriations.

POM–164. A concurrent resolution adopted by the Legislature of the State of Hawaii relative to the Social Security Act; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 219

Whereas, the State of Alaska received an increase in its Federal Medical Assistance Percentage (FMAP) from 50 percent to 59.8 percent in consideration of the high cost of living in Alaska by an amendment to the Social Security Act; and

Whereas, United States Senator Daniel K. Akaka, United States Senator Daniel K. Inouye, United States Representative Neil Abercrombie, and United States Representative Patsy T. Mink have recently introduced federal legislation to amend the Social Security Act to increase Hawaii's FMAP in consideration of Hawaii's high cost of living; and

Whereas, federal financial participation for the medicaid program is based on the FMAP which is calculated according to a formula based on per capita income in the individual state in relation to the per capita income of the United States; and

Whereas, the FMAP is calculated as the quotient of the per capita income of the United States, times a multiplier, the state income is determined as a designated portion of the national income as determined at the United States Department of Commerce, Bureau of Economic Analysis (BEA) and the per capita income of Hawaii is an amount that is derived at the BEA as a portion of national income statistics; and

Whereas, because of its island location and other factors, the cost of living in Hawaii greatly exceeds the cost of living in the mainland states, so that per capita income is a poor measure of its relative ability to bear the cost of medical services; and

Whereas, a study conducted by the Taubman Center for State and Local Government at Harvard University's John F. Kennedy School of Government and the Office of United States Senator Daniel Patrick Moynihan, established that if per capita income is measured in real terms, considering cost of living factors, Hawaii ranked 47th at $19,755 compared to the national average $24,231 and Alaska is ranked 34th with a real per capita income level of $21,592; and

Whereas, the Harvard/Moynihan study cites Hawaii with one of the highest poverty rates in the nation—Hawaii ranks eighth in the country with a poverty rate of 16.9 percent as compared to the national average of 14.7 percent—and on a per capita basis state revenues and expenditures are far higher in Hawaii, as well as Alaska, than in the other 48 mainland states, but Alaska's 10.6 percent poverty rate is lower than the national average, placing it 39th in the country; and

Whereas, Hawaii has not participated in the economic rebound that has benefited most of the rest of the nation in the past several years, in part because of its heavy dependence on international tourism and trade, and Hawaii continues to suffer from the drop in value in the Japanese yen, its unemployment rate is above the national average, and its tax revenues have fallen short of estimates; and

Whereas, based on Hawaii's current medicaid spending level of approximately $700 million, each percentage point increase in its FMAP rate would provide approximately $7 million annually in additional federal funds; and

Whereas, the State of Hawaii is seeking to have its medicaid program funded in dollars equal to its tax contributions based on its higher per capita income and one that recognizes its true costs, as was done for Alaska; now, therefore, be it

Resolved by the House of Representatives of the Twentieth Legislature of the State of Hawaii, Regular Session of 1999 (the Senate concurring), That this body hereby urges the United States Congress, the President of the United States, and the United States Secretary of Health and Human Services to support United States Senator Daniel K. Akaka, United States Senator Daniel K. Inouye, United States Representative Neil Abercrombie, and United States Representative Patsy T. Mink's federal legislation to amend the Social Security Act to increase Hawaii's FMAP in consideration of our high cost of living; and be it further

Resolved That certified copies of the Concurrent Resolution be transmitted to the members of the United States Congress, the President of the United States, and the Secretary of the United States Department of Health and Human Services.

POM–165. A joint resolution adopted by the Legislature of the State of Vermont relative to Social Security; to the Committee on Finance.

JOINT HOUSE RESOLUTION 113

Whereas, the purpose of Social Security is to provide a strong, simple and efficient form of basic insurance against the adversities of old age, disability and dependency, and

Whereas, for 60 years Social Security has provided a stable platform of retirement, disability and survivor annuity benefits to protect working Americans and their dependents, and

Whereas, the costs to administer Social Security are less than one percent of the benefits delivered, and

Whereas, the American and world economies continue to encounter periods of high uncertainty and volatility that make it as important as ever to preserve a basic and continuing safety net of protections guaranteed by our society's largest guarantor of risk, the federal government, and

Whereas, Social Security affords protections to rich and poor alike and no citizen, no matter how well-off today, can foretell tomorrow's adversities, and

Whereas, average life expectancies are increasing and people are commonly living into their 80's and 90's, making it more important than ever that each of us be fully protected by defined retirement benefits, and

Whereas, medical scientists are continually developing new ways to maintain and enhance the lives of people with severe disabilities, thus making it more important that each of us to be protected against the risk of dependency, institutionalization and impoverishment, and

Whereas, the lives of wage earners and their spouses are seldom coterminous; one often outlives the other by decades, making it crucial to preserve a secure base of protection for children and other family members dependent on a wage earner who may die or become disabled, and

Whereas, Social Security, in current form, reinforces family cohesiveness and enhances the value of work in our society, and

Whereas, Congress currently has proposals to shift a portion of Social Security contributions from insurance to personal investment accounts for each wage earner, and

Whereas, Social Security, our largest and most fundamental insurance system, cannot fulfill its protective function if it is splintered into individualized stock accounts and must create and manage millions of small risk-bearing investments out of a stream of contributions intended as insurance, and

Whereas, private accounts cannot be substituted for Social Security without eroding basic protections for working families, since such protections, to be strong, must be insulated from economic uncertainty and be

backed by the entity best capable of spreading risk, the federal government, and

Whereas, the diversion of contributions to private investment accounts would dramatically increase financial shortfalls to the Social Security trust fund and require major reductions in the defined benefits upon which millions of Americans depend, and

Whereas, to administer 150 million separate investment accounts would require a larger bureaucracy, and the resulting expense and the cost of converting each account to an annuity upon retirement would consume much of the profit or exacerbate the loss realized by each participant, and

Whereas, the question of whether part of the Social Security Trust Fund should be diversified into investments other than government bonds so that, while still invested collectively at low expense, returns may be increased, thus enhancing the capacity of the fund to meet its obligations to pay benefits while spreading the risk across the entire spectrum of Social Security participants, is entirely different from that of splintering its millions of accounts, and

Whereas, creating an array of winners and losers would be contrary to the basic principles of insurance and risk distribution, thus defeating the purpose of this part of our retirement system, and

Whereas, Congress amended the Internal Revenue Code to provide a full menu of provisions that enables working Americans and their employers to voluntarily contribute to tax-sheltered accounts that are open to the opportunities and exposed to the risks of investment markets, diverting Social Security contributions to private accounts duplicates existing programs, and

Whereas, such recently created systems now cover half of American families, now therefore be it

Resolved by the Senate and House of Representatives, That the General Assembly respectfully and strongly urges Congress not to enact laws that might tend to diminish or undermine a unified and stable Social Security system, and be it further

Resolved, That laws to encourage workers and their employers to save or invest for retirement should supplement and not substitute for the basic benefits of Social Security insurance that are vital to American working families, and be it further

Resolved, That the Secretary of State be directed to send a copy of this resolution to the President of the United States Senate, the Speaker of the House of Representatives of the United States and each member of the Vermont Congressional Delegation.

POM–166. A resolution adopted by the Council of the City of Oak Ridge, Tennessee relative to the reindustrialization of the East Tennessee Technology Park; to the Committee on Environment and Public Works.

POM–167. A resolution adopted by the Council of the City of Cleveland Heights, Ohio relative to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women; to the Committee on Foreign Relations.

POM–168. A joint resolution adopted by the Assembly of the State of Nevada relative to surface mining regulations; to the Committee on Energy and Natural Resources.

ASSEMBLY JOINT RESOLUTION NO. 19—

Whereas, Mining is of critical importance to Nevada and its rural communities as a significant contributor to this state's economy; and

Whereas, The ''Nevada model'' of regulating the mineral industry is known and respected industrywide because it balances the global needs for natural resources with related environmental concerns and the economic needs of private business, thereby resulting in an environmentally healthy state with a viable and responsible mineral industry that uses state-of-the-art technology; and

Whereas, Surface mining regulations governing hardrock mining operations and mineral exploration activities on public lands are codified in Part 3809 of Title 43 of the Code of Federal Regulations and are commonly referred to as ''3809 Regulations''; and

Whereas, The Bureau of Land Management initiated the revision of these regulations in January 1997; and

Whereas, In response to concerns raised by the Western Governor's Association and a group of 15 United States Senators, including Nevada Senators Harry Reid and Richard H. Bryan, Congress included language in the Omnibus Appropriations Act of 1998 to require a detailed, comprehensive study by the National Academy of Science of the environmental and reclamation requirements for mining on federal lands and the adequacy of those requirements to prevent undue degradation, and prohibited final revision to the 3809 Regulations before September 30, 1999; and

Whereas, Contrary to the requirements of the Omnibus Appropriations Act, the Secretary of the Interior is moving forward with revisions to the 3809 Regulations and to the Environmental Impact Statement; and

Whereas, Under the Bureau of Land Management's most recent revisions, every western state, including Nevada, may be faced with the choice of either expending substantial resources to revise its regulations to conform with the new requirements of the Bureau of Land Management or having the successful programs of the State of Nevada, which have been carefully tested and enforced over the years, simply cease to be operative on public lands, thereby imposing significantly detrimental impacts on the mineral industry and the State of Nevada; now, therefore, be it

Resolved, by the Assembly and Senate of the State of Nevada, Jointly, That the members of the 70th session of the Nevada Legislature do hereby urge the Secretary of the Interior to comply with the intent of Congress as stated in the Omnibus Appropriations Act of 1998 which requires a study of the issue by the National Academy of Sciences and prohibits final revision of 43 C.F.R. Part 3809, the 3809 Regulations, before September 30, 1999; and be it further

Resolved, That the Nevada Legislature strongly supports Alternative 1, the ''No Action'' alternative, as described in the draft Environmental Impact Statement on Surface Management Regulations and Locatable Mineral Operations, to maintain the existing 3809 Regulations without revision or modification; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, the Secretary of the Interior and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage and approval.

POM–169. A resolution adopted by the Legislature of the State of Nebraska relative to the use of phosphide gas in grain storage; to the Committee on Agriculture, Nutrition, and Forestry.

LEGISLATIVE RESOLUTION 43

Whereas, Nebraska's agricultural heritage and economy is dependent upon the harvest, storage, and transportation of grain; and

Whereas, there are 357 grain elevators with 663 million bushels of storage and 55,000 farms with 1.02 billion bushels of storage in Nebraska; and

Whereas, Nebraska grain elevators are valued neighbors to and located in close proximity to homes, schools, farms, and businesses in most of all Nebraska's communities; and

Whereas, Nebraska grain elevators, feed mills, processors, and growers are committed to protecting the health and safety of applicators and workers and to the well-being of the public; and

Whereas, grain elevators are located in Nebraska communities near railroads and highways to facilitate the transportation of grain; and

Whereas, Nebraska is a leader in the nation and in the world in grain production; and

Whereas, Nebraska grain elevators, feed mills, processors, and growers are committed to producing an adequate, safe, and high quality food supply for domestic and world consumers; and

Whereas, treaties and established trade relations may require pest-controlled grain before grain can be exported; and

Whereas, insect pests in grain without fumigation treatment could create health risks and reduce the quality of the grain marketed from Nebraska; and

Whereas, aluminum and magnesium phosphide gas are cost-effective fumigants used both by commercial elevators and farmers in the storage of grains in Nebraska; and

Whereas, the federal Environmental Protection Agency (EPA) acknowledges few, if any, viable alternatives to the use of aluminum and magnesium phosphide gas exist for fumigation to control pests in stored grain; and

Whereas, the current label restrictions for aluminum and magnesium phosphide gas provide for the safe and effective use of the product; and

Whereas, the State of Nebraska practices rigorous enforcement of the label restrictions on fumigants, ensures adequate training of certified applicators, and conducts a fumigation and grain storage project to inspect the use of fumigants; and

Whereas, restrictions in the use of fumigants in grain storage and transport should be based only on sound scientific reasoning, available technology, and analysis of risk level and avoid raising undue public alarm over unsubstantiated or inconsequential risk: Now, therefore, be it

Resolved by the members of the ninety-sixty legislature of Nebraska, first session, That the Congress of the United States direct the federal Environmental Protection Agency to curtail implementation of new restrictions from its Reregistration Eligibility Decision (RED) on phosphide gas that would require a 500-foot buffer zone and other restrictions that effectively preclude the use of aluminum or magnesium phosphide in most of Nebraska's grain storage facilities and grain transportation; and be it further

Resolved, That the Congress of the United States direct the federal Environmental Protection Agency to ensure that risk mitigation allowances for aluminum or magnesium phosphide are clearly demonstrated as necessary to protect human health, are based upon sound science and reliable information, are economically and operationally reasonable, and will permit the use of these products in accordance with the label.

POM–170. A joint resolution adopted by the Legislature of the State of Colorado relative to a pay increase for Members of Congress; to the Committee on the Judiciary.

SENATE JOINT MEMORIAL 99–005

Whereas, The twenty-seventh amendment to the constitution of the United States, also

known as ''The Madison Amendment'', provides that ''No law, varying the compensation for the services of the Senators and Representatives, shall take effect until an election of Representatives shall have intervened.''; and

Whereas, The twenty-seventh amendment requires that an intervening election be held between the enactment of any congressional pay increase and its subsequent application to any member of Congress; and

Whereas, The twenty-seventh amendment's requirement for an intervening election is intended to allow voters in each state and congressional district to obtain direct information regarding salary increases prior to the reelection of incumbents or the election of others in their stead; and

Whereas, Salary increases for members of Congress currently are regulated by ''The Government Ethics Reform Act of 1989,'' (''The Act'') pursuant to 2 U.S.C. sec. 31; and

Whereas, The Act gives members of Congress an immediate one-time salary increase and, in subsequent years, an annual cost of living adjustment increase to salaries or pensions; and

Whereas, Such annual cost of living adjustment is established in accordance with federal law and incorporated in an executive order of the President in December of each year to establish salary increases that are put into effect on January 1 of the next year; and

Whereas, Through the automatic operation of the cost of living adjustment provisions, congressional salaries have been increased on the first day of January for several years; and

Whereas, Without the action of legislation, each Congress effectively and automatically enacts for itself a cost of living adjustment salary increase in violation of the twenty-seventh amendment; and

Whereas, When each year's cost of living adjustment increase is paid on the following January 1 to members of Congress, former members, or spouses of deceased members without the process of an intervening election, the twenty-seventh amendment is violated; now, therefore be it

Resolved by the Senate of the Sixty-second General Assembly of the State of Colorado, (the House of Representatives concurring herein), That the General Assembly hereby expresses its opposition to automatic annual cost of living adjustment salary increases for members of Congress of the United States as violative of the twenty-seventh amendment to the United States Constitution and hereby memorializes the Congress to refrain from enacting any pay increase for members of Congress without an affirmative vote or that takes effect before the following Congress has been elected and fully sworn into office; and be it further

Resolved, That copies of this Memorial be sent to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each member of the Congressional delegation representing the state of Colorado.

POM–171. A joint resolution adopted by the Legislature of the State of Washington relative to immigration laws, policies and practices; to the Committee on the Judiciary.

HOUSE JOINT MEMORIAL 4015

To the Honorable William J. Clinton, President of the United States, and to the President of the Senate and the Speaker of the House of Representatives, and to the Senate and House of Representatives of the United States, in Congress assembled:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

Whereas, The Anti-Terrorism and Effective Death Penalty Act of 1996 (AEDPA) and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) represent the most dramatic changes in immigration law in more than 30 years; and

Whereas, These acts mandate that the Immigration and Naturalization Service (INS) arrest, detain, and deport large segments of the United States immigrant population and the implementation of these laws has had far-reaching effects, including unnecessary financial burdens on the state's legal, social, and welfare systems; and

Whereas, The United States has long been known as a nation of immigrants, as a champion of human rights for all peoples, and as a country that holds justice and equality under the law among its highest ideals, especially equal justice under law; and

Whereas, Immigrant detainees may have been legal permanent residents who have lived almost their entire lives in the United States, served in the United States military, have a United States citizen spouse, or have United States citizen children; and

Whereas, Detainees, including women and children, are frequently in INS custody for periods longer than seventy-two hours and are especially vulnerable within the INS system; and

Whereas, Families consisting of both legal and illegal family members are often divided causing not only emotional and psychological hardship when mothers are separated from their children, but also financial difficulties resulting in increased welfare rolls when primary wage earners are removed from their jobs;

Now, therefore, Your Memorialists respectfully pray that the President, the Congress, and the appropriate agencies continue to look closely at current immigration law and INS policies and practices, and that necessary changes be made so that problems surrounding immigration may be resolved as soon as possible; and be it

Resolved, That copies of this Memorial be immediately transmitted to the Honorable William J. Clinton, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, each member of Congress from the State of Washington, Doris Meissner, Commissioner of the Immigration and Naturalization Service, and Gary Locke, the Governor of the State of Washington.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 323. A bill to redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes (Rept. No. 106–69).

By Mr. WARNER, from the Committee on Armed Services, without amendment:

S. 1009. An original bill to authorize appropriations for fiscal year 2000 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN:

S. 1188. A bill to provide grants to State educational agencies and local educational agencies for the provision of classroom-related technology training for elementary and secondary school teachers; to the Committee on Health, Education, Labor, and Pensions.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1188. A bill to provide grants to State educational agencies and local educational agencies for the provision of classroom-related technology training for elementary and secondary school teachers; to the Committee on Health, Education, Labor, and Pensions.

TEACHER TECHNOLOGY TRAINING ACT

Mrs. FEINSTEIN. Mr. President, today I am introducing legislation to help teachers use technology in their teaching, the Teacher Technology Training Act of 1999.

This bill has three major provisions:

It authorizes $500 million for state education departments to award grants to local public school districts on the basis of need to train teachers in how to use technology in the classroom.

It specifies that grants may be used to strengthen instruction and learning, provide professional development, and pay the costs of teacher training in using technology in the classroom.

It requires the Secretary of Education to evaluate the technology training programs for teachers developed by school districts within three years.

I am introducing this bill because teachers say they need to learn how to use computers and other technology in their teaching. In a 1998 survey conducted by the U.S. Department of Education, only 20 percent of teachers said they felt ''well prepared'' to integrate educational technology into instruction.

Furthermore, the training that does exist for these teachers is inadequate. In the same Department of Education survey, among full-time, public school teachers, 78 percent said they had participated in professional development programs on using educational technology in their instruction, but only 23 percent of those teachers said they felt ''well prepared'' in this area. Of the teachers who report having received some training, 40 percent felt that it had improved their classroom teaching only ''somewhat'' or ''not at all.'' This is unacceptable. What we see now is that in many schools the students know more about how to use computers than the teachers do. In one Kentucky school profiled by Inside Technology Training magazine, the students run the school's computer systems. The article quoted the school district's technology coordinator as saying that the students had ''long surpassed'' what the teachers could do and